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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/912,779	07/25/2001	John Peter Karidis	RPS920000402US2	5150

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EXAMINER
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AMINZAY, SHAIMA Q

ART UNIT	PAPER NUMBER
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2684

DATE MAILED: 04/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/912,779

Applicant(s)

KARIDIS ET AL.

Examiner

Shaima Q. Aminzay

Art Unit

2684

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 November 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,3-8 and 10-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 3-8 and 10-12 is/are allowed.
- 6) ☒ Claim(s) 13 is/are rejected.
- 7) ☒ Claim(s) 14 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## ***DETAILED ACTION***

### ***Response to Amendment***

The following office action is in response to Amendment, November 12, 2004.

Claims 1, 3-8, and 10-14 are pending.

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action

(a ) Patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made

2. Claim 13 is rejected under 35 U.S.C.103(a) as being unpatentable over Takahashi (Takahashi U. S. Patent 6,662,244) in view of Novis (Novis et al. U. S. Patent 5,867,795).

Regarding claim 13, Takahashi discloses a personal communication device comprising a dual mode display for a user's viewing in both (see for example, Figures 3-4, column 1, lines 6-14, the information terminal (personal communication device) having two states (dual mode) ) a direct-view mode (see for example, Figure 4, column 4, line 58-67, the user viewing in both states

(modes), the closed states (direct-view) and open state (projection-view)), wherein sufficiently-sized characters are displayed in a manner visible to the user (see for example, Figure 4, column 4, line 58-67, the information (sufficient-sized characters) displayed on the display section (5) is clearly visible to the user in a manner without further magnification), and in "projection-view" mode (see for example, Figure 4, column 4, line 46-57, the open state (projection-view)), wherein more content can be displayed over that of the direct-view mode (see for example, Figure 4, column 4, lines 62-67, column 5, lines 11-22, more information is displayed in closed mode (direct-view mode)).

Takahashi does not specifically teach disclose magnification, however, Takahashi teaches magnification (see for example, Figures 3 – 9, column 4, lines 25-39, and lines 62-67, the information is clearly visible to the user).

In a related art dealing with personal communication device (see for example, column 1, lines 1-19), Novis teaches magnification (see for example, Figure 11, column 8, lines 31-39, enlarging the size of the characters so the information displays without further magnification).

It would have been obvious to one of ordinary skill in the art at the time invention was made to include Novis' device optical lens set with Takahashi's "portable information terminal of wireless communication system" (column 1, lines 10-11) to provide "a portable electronic device including a visual image display" that contains safe features to prevent unwarranted viewing and easy to operate, and displays enlarged size characters that is not going to need further

magnification (Novis, column 2, lines 14-15, and lines 30-38, column 8, lines 31-39).

### ***Allowable Subject Matter***

3. Claims 1, 3-8, and 10-12 are allowed.
4. Claim 13 is objected.

### ***Response to Arguments***

Note: This office action has been restructured for clarity. The same references have been used against the same limitations in claim 13, therefor, this action is made final.

5. Applicant's arguments filed November 12, 2004 have been fully considered but the arguments are not persuasive.

The applicant's argued features in the claim, i.e., providing a personal communication device comprising a dual mode display for a user's viewing in both a direct-view or closed mode and projection-view or opened mode, and the

characters are displayed in both modes visible to the user without further magnification, and more content can be displayed over the direct-view mode to be established read upon Takahashi (Takahashi U. S. Patent 6,662,244) in view of Novis (Novis et al. U. S. Patent 5,867,795).

Takahashi discloses a personal communication device with dual display modes that the user's viewing in both a closed mode (direct-view mode), and a opened mode (projection-view mode), the characters are displayed in large enough sizes to the user in both modes, however, Takahashi does not specifically teaches magnification, however, Takahashi teaches information is clearly visible to the user (see for example, Figures 3 – 9, column 4, lines 25-39, and lines 62-67, the). In a related art dealing with personal communication device, Novis teaches magnification (see for example, Figure 11, column 8, lines 31-39).

Takahashi and Novis are both analogous to the applicants teaching, that's why they do obviate.

Therefor, Examiner believes the claims are broad enough to be combining Novis' communication device optical lens set with Takahashi's portable wireless device. The rejection is maintained.

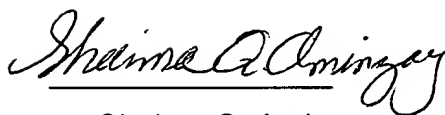
***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action

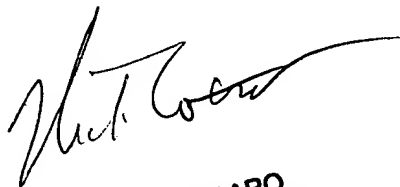
### Inquiry

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shaima Q. Aminzay whose telephone number is 571-272-7874. The examiner can normally be reached on 7:00 AM -5:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 571-272-7882, the primary examiner, Nick Corsaro can be reached on 571-272-7876. The fax number for the organization where this application or proceeding is assigned is 703-872-9306. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Shaima Q. Aminzay

(Examiner)



NICK CORSARO  
PRIMARY EXAMINER

Nay Maung

(SPE)

Art Unit 2684

April 17, 2005